

FILED

OCT 15 2003

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION

TERESA L. DEPPNER, CLERK
U.S. District & Bankruptcy Courts
Southern District of West Virginia

BLUESTONE COAL CORPORATION,

Plaintiff,

v.

CIVIL CASE NO. 1-03-02106

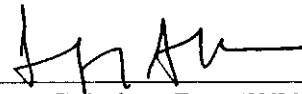
RICKY A. JOHNSON,

Defendant.

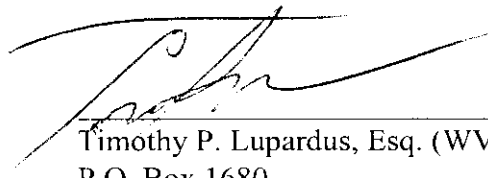
STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

THIS DAY come Plaintiff and Defendants and by and through their respective counsel and, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, stipulate that the above-captioned matter has been resolved by ALL parties and that, as a result, the matter shall be DISMISSED WITH PREJUDICE, with each party bearing its own costs and attorneys' fees incurred in this action.

Submitted this 15th day of October, 2003.



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Counsel for Plaintiff

A handwritten signature in black ink, appearing to read 'Timothy P. Lupardus', is written over a horizontal line.

Timothy P. Lupardus, Esq. (WV Bar No. 6252)
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Counsel for Defendant